

Idaho Criminal Justice Commission Update

May 28, 2021

Ashley Dowell, Executive Director Idaho Commission of Pardons and Parole



Parole

Miscellaneous

Self-Initiated
Parole
Reconsideration

Revocation

Reinstatement

Pardon*

Firearms*
Restoration

Commutation*

Medical Parole

Parole Decision Making- I.C. 20-223

"A parole shall be ordered when, in the discretion of the commission, it is in the best interests of society, and the commission believes the prisoner is able and willing to fulfill the obligations of a law-abiding citizen. Such determination shall not be a reward of clemency and it shall not be considered to be a reduction of sentence or a pardon".

The Commission retains discretion in the decision making process on all cases

Risk Assessments (LSI-R, VRAG, Static 99R)

Parole Guidelines Score

Victim Information



Mental Health Evaluation

Sex Offender Risk Assessment

Prior Criminal History

Institutional Behavior

Seriousness of the Crime

Aggravating or Mitigating Circumstances

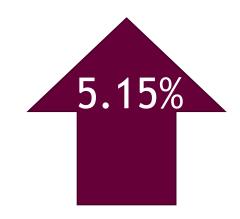
Supervision History

Stability of the Proposed Release Plan

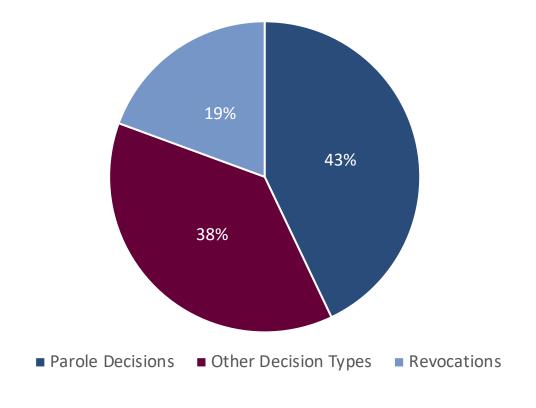
Completion of Institutional Programming

Community

6,697 Decisions in 2020



Increase from 6,352 decisions in 2019

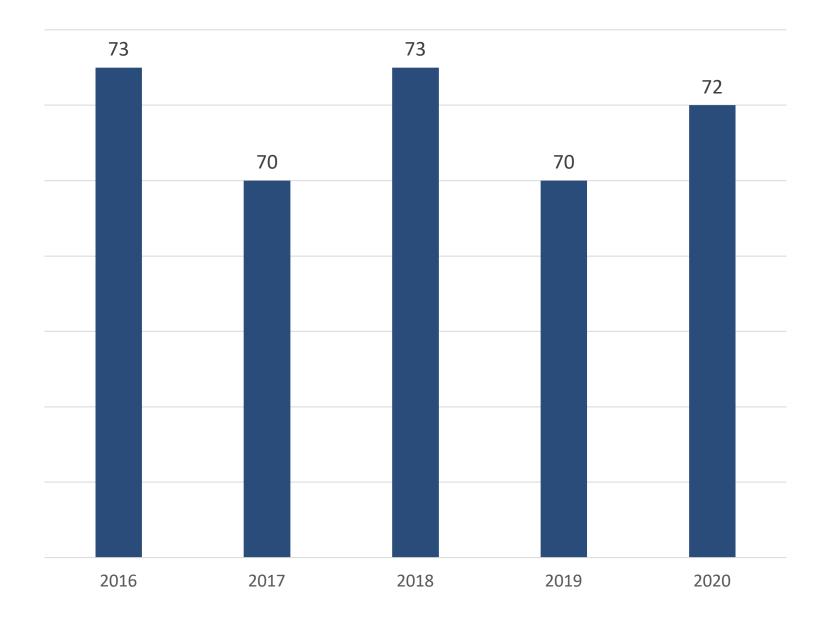


2,875 Parole Decisions

2,523 Other Decision Types

1,299 Revocations

5 Year Parole Grant Rate



Parole Violation Types

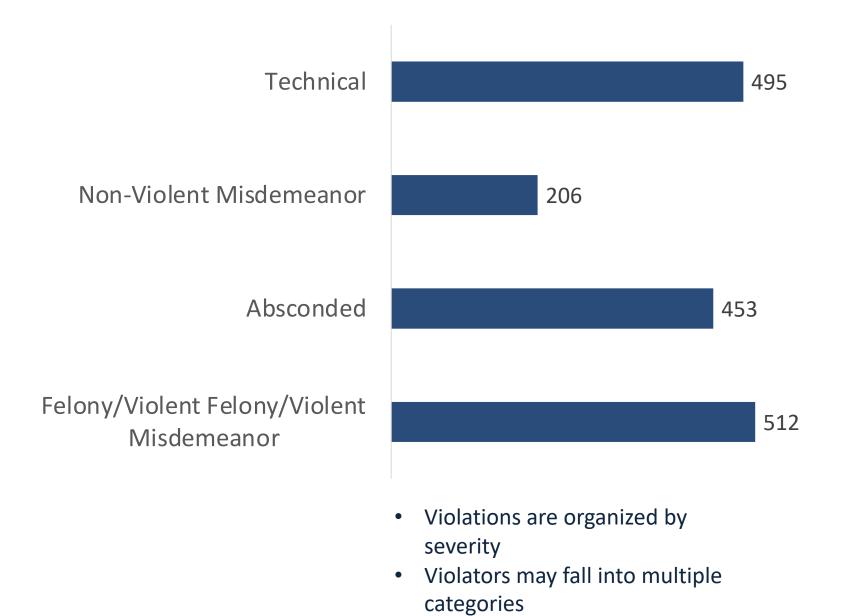
Technical

Violation of a condition of the parole contract to include new charges Non-Technical

Absconding or <u>conviction</u> of a new misdemeanor or felony

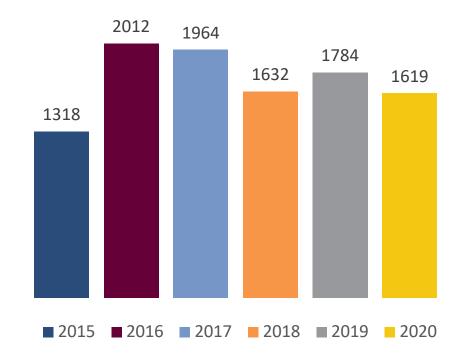
Parole Violation Process

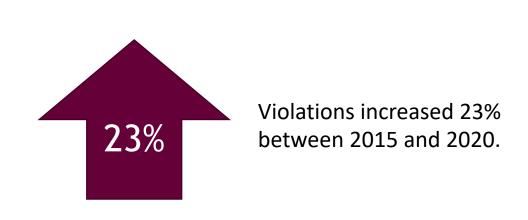
- ➤ Parolee arrested on a Parole Agent's warrant
- ➤ Parole Officer submits a Report of Violation to the Commission
- Commission warrant issued, replaces Agent's Warrant
- ➤ Parole Violation hearing conducted to determine guilt or innocence
 - Parolee may request a continuance of any hearing
 - If innocent of all violations, then immediate release
- Monthly reviews to consider reinstatement on parole
 - If parole officer or violation hearing officer recommend
- ➤ Revocation Hearing to determine whether parole is revoked or reinstated



2020 Parole Violations by Type

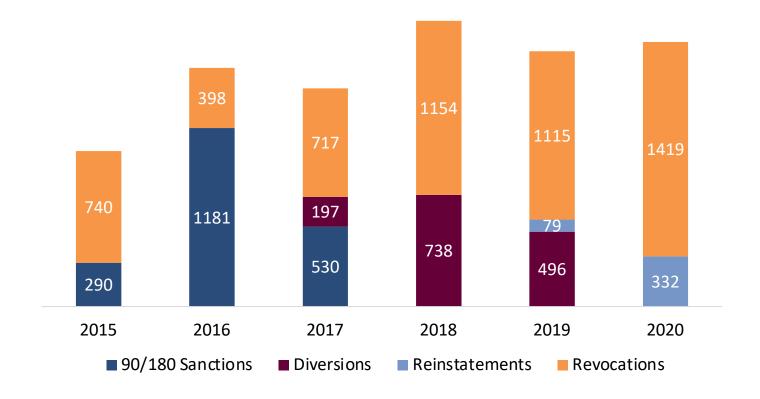
Violations filed 2015-2020



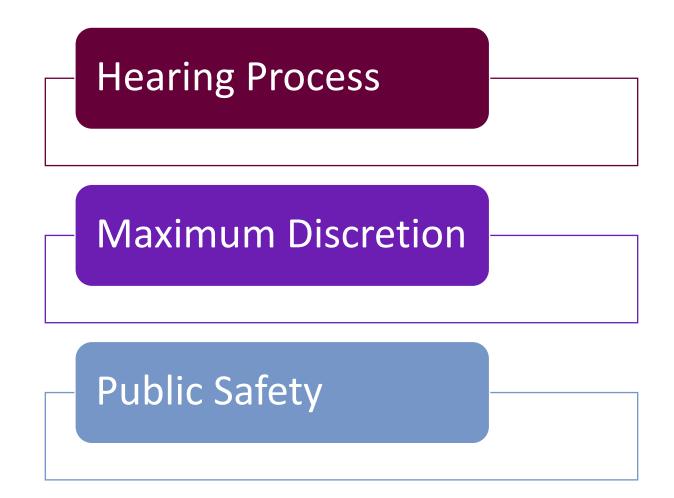


Not all violations result in revocation

Parole Violation Dispositions



COVID- 19 Updates



Virtual hearings via WebEx

Physical presence at Idaho State Police District Office

Commissioners attending from residences

Public attending via computer, smartphone or phone

Inmates via video at facilities

Participation options remain the same

Hearing order on Commission website

Executive session deliberation

Hearing
Process
April 2020 to
Current

Lessons Learned

Great feedback from victims

- No need to travel
- Testimony provided in a familiar location
- Eliminates issues with harassment or no contact orders
- Choice to be on video or only audio
- Choice to testify or only observe

Increased hearing participation

- More members of the public virtually attending
- No need to travel or wait at the facility
- Better allows for public official attendance
- Few issues with inappropriate demeanor

Maximum Discretion

If the Commission grants parole, granting only open tentative parole dates

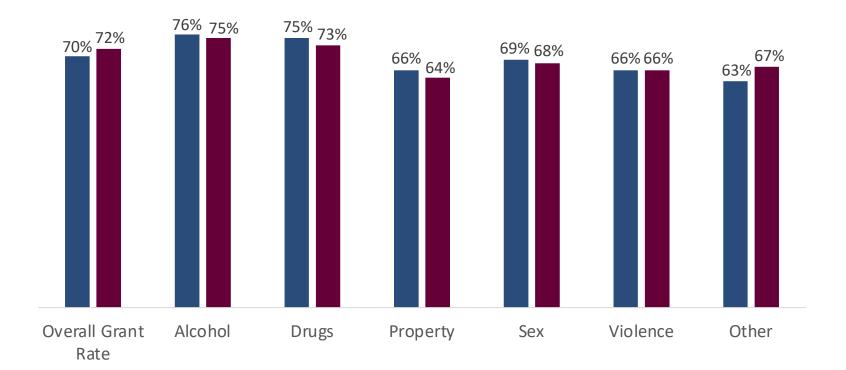
Modifications to the hearing schedule to complete rereviews of those who are parole eligible based on certain criteria

Reviewing reinstatement options for parole violators more regularly

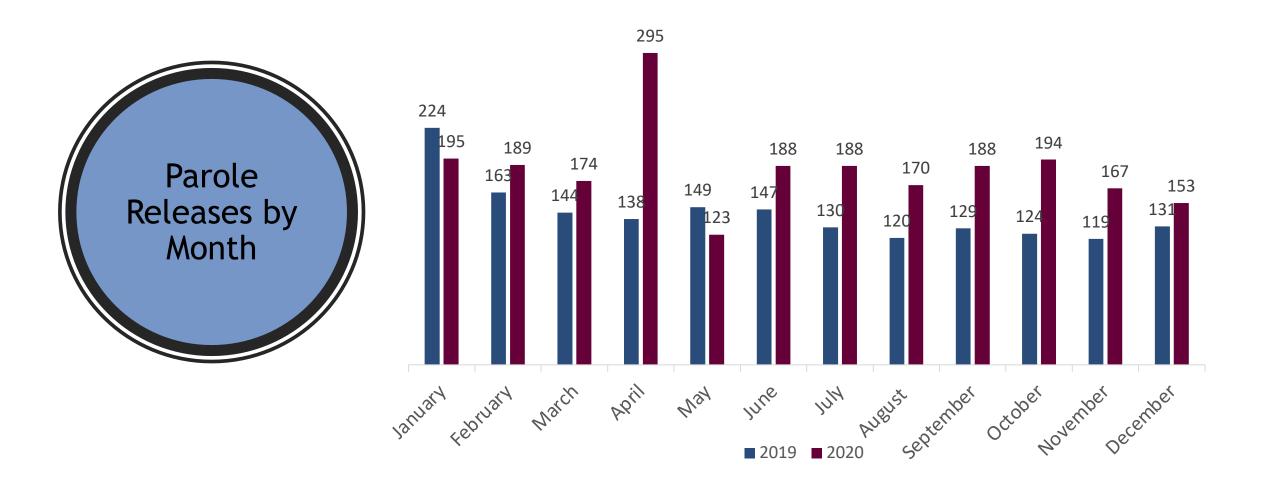
Modifying tentative parole dates to open for those previously granted parole by the Commission with a tentative parole date between March and September 2020

Addition of hearing days to accommodate continued hearings, technical issues and burnout

2019 & 2020 Grant Rates



■ 2019 **■** 2020





Development of list of cases for review were done in collaboration with the Department of Correction



Included medical cases submitted by IDOC's medical provider who met the established criteria



Systematically looked at options for people who are currently parole eligible

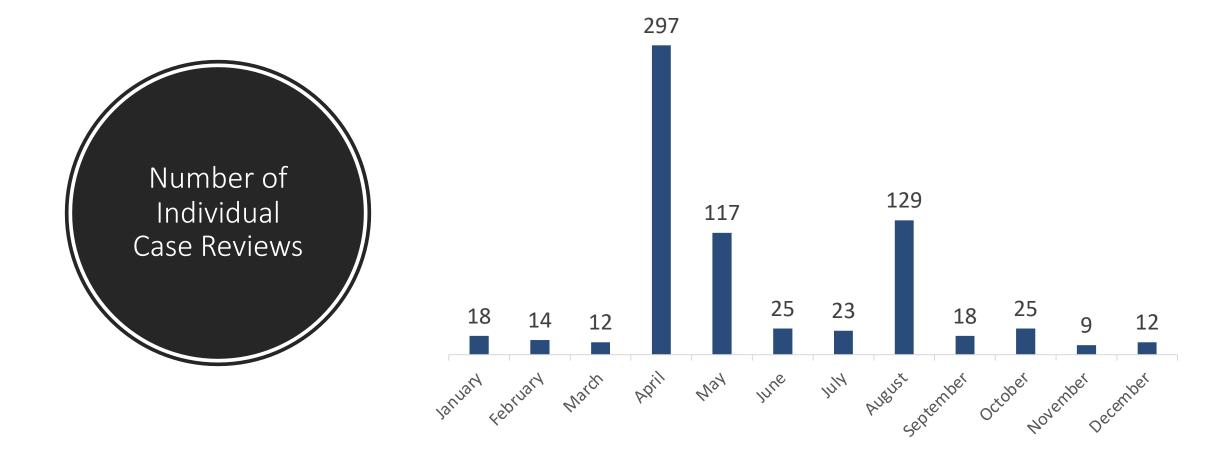


Applied a structured approach to reviewing cases

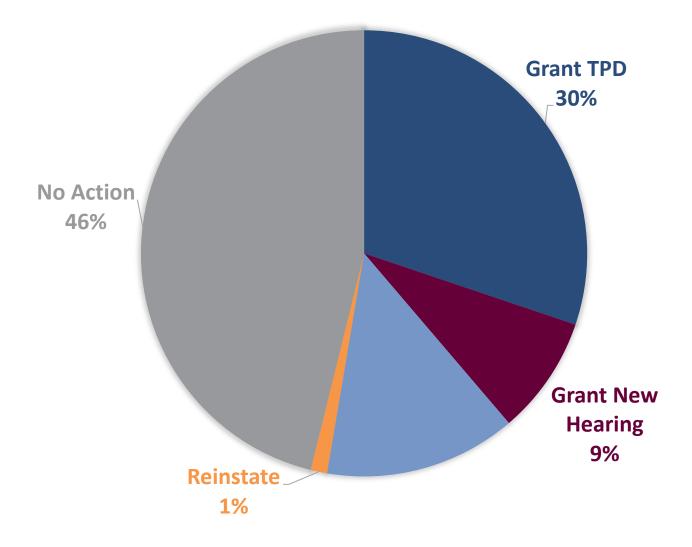


Not accepting inmate or public requests for specific cases to be reviewed

Individual Case Reviews



MFR Review Outcomes



• Grant Tentative Parole Date (TPD)

 Tentative parole dates in the future moved to open tentative parole dates or parole granted

Reinstate on Parole

Cases identified in conjunction with IDOC
 Probation and Parole

Grant New Hearing

 No hearing scheduled or moved future hearing up

No Action

Previous decision remained the same

Modification of Parole Conditions

Requested by IDOC Parole Officer

All cases individually reviewed

No changes to the pardon and commutation process or early releases

No releases of all inmates with certain crime types or meeting certain characteristics

No public or inmate requests accepted

Rumor vs. Reality Parole decisions remain individualized

Decisions are based on unique facts of the case

Must complete programming

Must have an approved release plan

Maximum discretion only utilized for those deemed not to be a public safety risk

Public Safety

Questions?

